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10 **UNITED STATES DISTRICT COURT**  
11 **NORTHERN DISTRICT OF CALIFORNIA**  
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13 **MALINDA DOTSON,**

14 **Plaintiff,**

15 **vs.**

16 **UNITED STATES OF AMERICA, et al.,**

17 **Defendants.**

) **Case No. C-08-01861-JCS**  
)  
) **PLAINTIFF'S CONSENT TO MOTION TO**  
) **DISMISS FEDERAL DEFENDANT;**  
) **REQUEST FOR REMAND**  
)  
) **DATE: JUNE 6, 2008**  
) **TIME: 9:30 A.M.**  
) **LOCATION: COURTROOM A, 15<sup>TH</sup> FLR.**  
)

18 **CONSENT TO MOTION TO DISMISS FEDERAL DEFENDANT**

19 PLEASE TAKE NOTICE that plaintiff MALINDA DOTSON does not oppose the  
20 pending motion to dismiss the complaint as it applies to Dr. Elena Furrow, an employee of the  
21 defendant United States of America, on the condition the dismissal is without prejudice to refile  
22 upon satisfaction of the claims statute, and that the claims against the remaining non-Federal  
23 defendants be remanded back to the Superior Court of Humboldt county.

24 Dated: May 2, 2008

LAW OFFICE OF JAMES A. ZITO

25 By   
26 James A. Zito, Attorney for Plaintiff  
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